

RCE/2825  
JW A



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|--|------------------------|------------------------|
| <b>REQUEST<br/>FOR<br/>CONTINUED EXAMINATION (RCE)<br/>TRANSMITTAL</b><br><br>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,<br>provides for continued examination of an utility or plant application<br>filed on or after June 8, 1995.<br>See The American Inventors Protection Act of 1999 (AIPA). | Application Number     | 10/620,420             |
|  | Filing Date            | July 17, 2003          |
|  | First Named Inventor   | Minoru MIYAZAKI et al. |
|  | Group Art Unit         | 2825                   |
|  | Examiner Name          | Calvin Lee             |
|  | Attorney Docket Number | 740756-2624            |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☐ Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☒ Information Disclosure Statement (IDS)
    - iv. ☐ Submission of Formal Drawings
    - v. ☐ Petition for Three-month Extension of Time
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☒ Other additional claims \_\_\_\_\_
  - b. ☒ The Director is authorized to charge Deposit Account # 19-2380 in the amount of \$2,538.00
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                     |                                   |                   |
|---|---------------------|-----------------------------------|-------------------|
| Name (Print/Type)                                   | Jeffrey L. Costella | Registration No. (Attorney/Agent) | 35,483            |
| Signature   |                     | Date                              | November 24, 2004 |

| CERTIFICATE OF MAILING OR TRANSMISSION<br>[37 CFR 1.8(a)]   |  |
|---|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at _____, on _____. |  |
| Signature:  |  |
| Name:   |  |

11/26/2004 EABUBAK1 00000088 192380 10620420

01 FC:1801 790.00 DA  
 02 FC:1201 704.00 DA  
 03 FC:1202 1044.00 DA

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# FEE TRANSMITTAL FOR FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$2,538.00)

Complete if Known

Application Number 10/620,420  
Filing Date July 17, 2003  
First Named Inventor Minoru MIYAZAKI et al.  
Examiner Name Calvin Lee  
Art Unit 2825  
Attorney Docket No. 740756-2624

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-2380

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 790                   | 2001                  | 395                   | RCE filing fee         | 790.00   |
| 1002                  | 350                   | 2002                  | 175                   | Design filing fee      |          |
| 1003                  | 550                   | 2003                  | 275                   | Plant filing fee       |          |
| 1004                  | 790                   | 2004                  | 395                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1) (\$790.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid      |
|--------------------|--------------|----------------|---------------|
| 160                | -102** = 58  | X 18           | = 1,044.00    |
| Independent Claims | 20           | -12** = 8      | X 88 = 704.00 |
| Multiple Dependent |              | X              | = 0           |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                  | 88                    | 2201                  | 44                    | Independent claims in excess of 3                          |
| 1203                  | 300                   | 2203                  | 150                   | Multiple dependent claim, if not paid                      |
| 1204                  | 88                    | 2204                  | 44                    | ** Reissue independent claims over original patent         |
| 1205                  | 18                    | 2205                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$2,538.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |
| 1252                  | 430                   | 2252                  | 215                   | Extension for reply within second month                                    |
| 1253                  | 980                   | 2253                  | 490                   | Extension for reply within third month                                     |
| 1254                  | 1,530                 | 2254                  | 765                   | Extension for reply within fourth month                                    |
| 1255                  | 2,080                 | 2255                  | 1,040                 | Extension for reply within fifth month                                     |
| 1401                  | 340                   | 2401                  | 170                   | Notice of Appeal   |
| 1402                  | 340                   | 2402                  | 170                   | Filing a brief in support of an appeal                                     |
| 1403                  | 340                   | 2403                  | 150                   | Request for oral hearing   |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |
| 1453                  | 1,370                 | 2453                  | 685                   | Petition to revive - unintentional   |
| 1501                  | 1,370                 | 2501                  | 685                   | Utility issue fee (or reissue)   |
| 1502                  | 490                   | 2502                  | 245                   | Design issue fee   |
| 1503                  | 660                   | 2503                  | 330                   | Plant issue fee  |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(q)  |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |
| 1809                  | 790                   | 2809                  | 395                   | Filing a submission after final rejection (37 CFR 1.129(a))                |
| 1810                  | 790                   | 2810                  | 395                   | For each additional invention to be examined (37 CFR 1.129(b))             |
| 1801                  | 790                   | 2801                  | 395                   | Request for Continued Examination (RCE)                                    |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

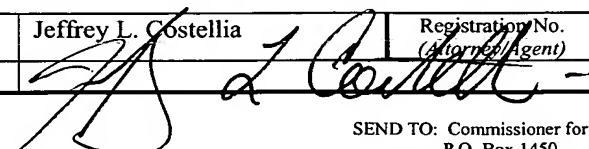
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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Date

Signature

Typed or printed name

## SUBMITTED BY

Name (Print/Type) Jeffrey L. Costellia  
Signature 

Registration No. 35,483  
(Attorney/Agent)

## Complete (if applicable)

Telephone (202) 585-8000  
Date November 24, 2004

SEND TO: Commissioner for Patents  
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